

REMARKS

The following remarks are responsive to the points raised in the final Office Action mailed January 11, 2006. Claims 1, 4, and 5 are pending. No new matter has been introduced. No new issues have been raised that require further consideration or search. Entry and reconsideration are respectfully requested.

Response to the Rejection under 35 U.S.C. § 103(a)

Claims 1 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6, 741,386 to Minami. Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Minami in view of US Patent 6,721,084 to Kawai. Applicant respectfully traverse these rejections.

Applicant respectfully submits that Masato Minami is the sole inventive entity of both (1) the instant application and (2) the above reference to Minami applied against Claims 1, 4, and 5 under 35 U.S.C. § 103(a). Applicant also respectfully submits that the February 13, 2003 publication date of the Minami reference is less than one year prior to the January 30, 2004 filing date of the instant application. Since the applied reference of Minami was neither filed by another person nor first published more than one year prior to the January 30, 2004 filing date of the instant application, the applied reference to Minami does not qualify as prior art against the instant application.

Accordingly, the rejections under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

Applicant respectfully submits that Claims 1, 4, and 5 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATIONS

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-5270.

Respectfully submitted,
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